

AN OPEN LETTER TO THE RESIDENTS OF DAYTON AND LAFAYETTE

Ronald Reagan was president of the United States, Indianapolis hosted the Pan American games, and the leaders of the Town of Dayton and Tippecanoe County were planning for the arrival of the SIA auto assembly plant. The year was 1987, and according to “Dayton and Vicinity, *An Amendment to the Adopted Land Use Plan*”, town and county leaders believed the impending growth called for an “appropriate” land use plan for Dayton and approximately two square miles outside of the town limits recognized by all to be Dayton’s jurisdiction and expansion area. This historical precedent setting Dayton’s jurisdiction is now being challenged by the City of Lafayette by its willingness to annex land owned by Carr Family Farms II.

Various agreements with Lafayette dated from 1976 to 2004 for Dayton utilities also designate this area outside of the Dayton town limits as Dayton’s jurisdiction. The agreements specify that Dayton’s “jurisdiction area is defined and fixed as being that area bounded by County Road 200 South on the north to County Road 800 East and thence south along the south fork of Wildcat Creek on the east to Wyandotte Road on the south and to Interstate 65 on the west.....” Dayton’s expansion area and jurisdiction OUTSIDE its existing town limits was defined by the boundaries set out in both the utility agreements and in the “Dayton and Vicinity” land use plan.

The 1987 *Amendment*, an addition to the Tippecanoe County Comprehensive Plan, was “rooted in a community-wide desire to encourage growth while minimizing impacts and maintaining quality of life” and “was quickly adopted by all three member jurisdictions whose lands were involved: Tippecanoe County, the City of Lafayette, the Town of Dayton.” It noted that multi-jurisdictional cooperation was required, but acknowledged that, because of its proximity to the car plant, Dayton would most feel the impact of the growth created by SIA. Dayton leaders, however, were planning to minimize that impact.

Specifically noted in the *Amendment* was that “(T)own officials clearly indicated a desire to grow, but in an orderly manner and within parameters established by the Town Board: non-residential expansion should not include heavy-duty commercial or industrial uses and should be kept near the highway interchange, and Dayton’s “small-town atmosphere” should be retained.” This powerful statement has been the town’s guiding principles for decades: 1) maintain the small-town atmosphere, 2) nonresidential expansion should be kept near I65, 3) no heavy-duty commercial or industrial uses, but 4) parameters will be established by the Town Board.

Past Town Boards have massaged those parameters for specific projects they found acceptable, and industrial zoning was approved for both MacAllister’s Caterpillar and Stoop’s Freightliner. Another parcel was rezoned with the knowledge that Dayton would hold influence over its final use. While these uses did not comply with the *Amendment*, it was the right of the Town Board to massage the parameters it was based on. The parameters, however, were only massaged. They weren’t mutilated.

A north-south “urban nonresidential collector” road from SR38 to Haggerty Lane, and then south across the railroad tracks was included in the 1987 *Amendment* and its 1996 2nd *Amendment*. The road was intended to open the area north of town for development that would serve residents of the area, including highway-related businesses, retail, an office/research park, and a town park.

As the Town Board sought to establish a Tax Increment Finance District in 2019 to build the road and open the area for development, they indicated they had the verbal agreement of the landowners that they would annex into the town the following year. When the time to annex arrived, something had changed. Dayton’s attempts to annex were unsuccessful and the Carr Family Farm petitioned the county to rezone their land to Heavy Industrial, a use not acceptable to Dayton.

Against the recommendation of the Area Plan staff and against the wishes of Dayton, The Area Plan Commission and the County Commissioners approved the rezone of land in Dayton’s jurisdiction. The planned road would now serve industrial facilities and industrial traffic, funneling it straight to the town’s main entrance. The people of Dayton and the new TIF would have funded a road that effectively mutilated the land use plan and was set to destroy the town’s main entrance.

The rezone of the Carr land to Heavy Industrial changed everything for Dayton. After months of public input, deliberation and contemplation, the Town Board withdrew from the road project. The road would no longer serve the needs of the town and was now expected to bring multiple negative impacts to the town. By withdrawing from the road project they also prevented the people of the town from bearing the financial burden of its cost. Since the town owns the land the road would have been built on, they have planned other public uses for the land.

When the Carr Family petitioned to have their land zoned to Heavy Industrial, their attorney told both the Area Plan Commission and the County Commissioners that they didn’t need the road. They didn’t care about it at all; it was a non-issue for them. Why, then, are they now claiming that, not only do they want the road, it’s the reason they’re asking Lafayette to annex them while rebuffing Dayton’s own attempt to annex.

The Carr Family’s Petition to Annex into Lafayette seems based on a belief that a road will be built to serve their industrial uses. Dayton owns the land where the previous road would have been built. It already serves a public use and other public uses are planned. If a road is built to serve Carr land, it will be ON Carr land, and will not connect Haggerty and SR38 in the town of Dayton. The desperation for industrial zoning must trump everything else.

In stark contrast to the cooperation of all jurisdictions recognizing that the area surrounding Dayton is Dayton’s jurisdiction, the City of Lafayette now sees this incursion into the town’s expansion area as important to them. So important, it seems, that “minimizing impacts” and protecting “quality of life” are no longer considerations. Certainly, maintaining Dayton’s “small-town atmosphere” isn’t a concern for them.